

# *Minimum Requirements of the California Lactation Accommodation Law*

Effective January 1, 2002

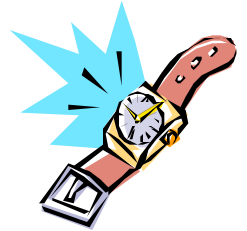
## **Provide Break Time for Employees to Express Breastmilk.**

Employers shall provide a reasonable amount of break time to accommodate an employee desiring to express breastmilk for the employee's infant child.\*

If possible, the break time should coincide with the employee's paid break time. If not, the break time need not be paid.

How much time does an employee need to express breastmilk? Typically, a lactating woman would need to express breastmilk about every 2-3 hours when she is away from her baby. Twenty to forty minutes is generally needed for each pump session.

Women who double pump (pump both breasts at the same time), generally take less time for pumping than women who single pump (pump one breast at a time). Women need time to set up and clean equipment, collect, label, and store milk. Some women prefer to work while pumping by reading or reviewing work related materials. If however, additional time is unpaid, consider allowing employees to arrive earlier or stay later than their normal work schedule to make up their time.



## **Provide the Employee with the Use of a Room to Express Breastmilk.**

Employers shall make a reasonable effort to provide employees with the use of a room or other location for the employee to express milk. This space should be private and in close proximity to the employee's work area. This space should *not* be a toilet stall.

Examples of workplace spaces used for expressing breastmilk:



- A vacant office
- A room which can be arranged to be used by the lactating employee during specific times of the day
- A women's lounge area
- A first aid room
- A dressing room
- A cubicle with a curtain (A last resort, if no other space is available!)

A room can be made private by having a lock on the door, placing a message on the door that the room is in use, drawing blinds or curtains, covering curtain-less windows with paper if necessary, or setting up a portable partition.

### **Civil Penalty For Violators**

Employers that do not comply with the provisions of the law could be subject to a civil penalty of one hundred dollars (\$100) for each violation by the Labor Commissioner.

### **\*Exemptions**

An employer is not required to provide unpaid break time if to do so would seriously disrupt the operations.

**Although not required by law to be provided by the employer, the following items are generally needed to express milk in the workplace.**

- A clean, safe water source, sink, disinfectant dish soap, and paper towels nearby for washing hands and breast pump equipment.
  - A refrigerator or ice chest to keep breastmilk from spoiling.
  - A room or space with an electrical outlet for employees who use an electric breast pump to express milk.
- A comfortable chair to sit in while expressing milk.
- A small table for pumping supplies.

